

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

ARDEN JOHN ARCHER,

Civil No. 06-4248 DSD/SRN

Petitioner,

v.

ORDER

ROBERT HOUSTON, Nebraska Dept.
Corr. for JOAN FABIAN, Commissioner of
Corrections Minnesota Department of
Corrections,

Respondent.

The above-entitled matter comes before the court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated December 14, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Petitioner's application for a writ of habeas corpus, (Docket No. 1), is DENIED;
2. Petitioner's requests for leave to proceed in forma pauperis, (Docket Nos. 2 and 4), are DENIED;
3. Petitioner's motion for appointment of counsel, (Docket No. 8), is DENIED; and

4. This action is DISMISSED WITH PREJUDICE.

DATED: January 5, 2007

s/David S. Doty
David S. Doty, Judge
United States District Court